

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**ANTICIPATORY BAIL APPLICATION NO. 2290 OF 2019
WITH
INTERIM APPLICATION NO. 1311 OF 2019**

Prashant Chandrakant Kale & Anr. ...Applicants
vs.
The State of Maharashtra & Anr. ...Respondents

Mr.Prasad Avha i/b. Kuldeep Nikam for Applicants.
Mr.Vaibhav Jagdale for Respondent No.2 (Intervener).
Mr.Y.Y. Dabake, APP for State.

CORAM : BHARATI DANGRE, J.

DATED : 5 OCTOBER 2021

PC. :

1. Heard learned Counsel for the Applicants, learned APP for the State and learned Counsel for Respondent No.2.

2. By order dated 17 October 2019, the Applicants are admitted to interim protection and the said order continued to remain in force after nearly more than two years. While admitting the Applicants to protection, this court has recorded that there is a delay in lodging the FIR as the transaction was entered into the year 2014 and the FIR was lodged at a belated stage. On perusal of the papers, it is apparent that the dispute, which arises between the parties, revolves around the development agreement and it is in the nature of a civil dispute and that is the precise reason why the Applicants are admitted to interim protection.

It is not the case of learned APP that the Applicants have not

cooperated with the investigation in the wake of the said interim protection. In such circumstances, now the order being passed two years earlier, deserve confirmation.

The order dated 17 October 2019 is confirmed subject to the same stipulation, being the Applicants shall continue to render their cooperation in the investigation and shall report to the Investigating Agency as and when called for.

(SMT. BHARATI DANGRE, J.)